

CIVIL COMPLAINT FORM TO BE USED BY A *PRO SE* PRISONER

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Kevin Coit KX2601
Full Name of Plaintiff Inmate Number

v.

Wynder
Name of Defendant 1

Kephart
Name of Defendant 2

Wegrzynowicz
Name of Defendant 3

Wentzel
Name of Defendant 4

R Boyce
Name of Defendant 5

(Print the names of all defendants. If the names of all
defendants do not fit in this space, you may attach
additional pages. Do not include addresses in this
section).

Civil No. 1:22-CV-1277
(to be filled in by the Clerk's Office)

☒ Demand for Jury Trial
☐ No Jury Trial Demand

FILED
SCRANTON
AUG 16 2022

PER Amo
DEPUTY CLERK

I. NATURE OF COMPLAINT

Indicate below the federal legal basis for your claim, if known.

- ☒ Civil Rights Action under 42 U.S.C. § 1983 (state, county, or municipal defendants)
- ☐ Civil Rights Action under Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971) (federal defendants)
- ☐ Negligence Action under the Federal Tort Claims Act (FTCA), 28 U.S.C. § 1346, against the United States

II. ADDRESSES AND INFORMATION

A. PLAINTIFF

Kevin terrance Coit

Name (Last, First, MI)

KX2601

Inmate Number

Sci Frackville

Place of Confinement

1111 Altamont Blvd

Address

Frackville PA 17931

City, County, State, Zip Code

Indicate whether you are a prisoner or other confined person as follows:

- ☐ Pretrial detainee
☐ Civilly committed detainee
☐ Immigration detainee
☒ Convicted and sentenced state prisoner
☐ Convicted and sentenced federal prisoner

B. DEFENDANT(S)

Provide the information below for each defendant. Attach additional pages if needed.

Make sure that the defendant(s) listed below are identical to those contained in the caption. If incorrect information is provided, it could result in the delay or prevention of service of the complaint.

Defendant 1:

Wynder

Name (Last, First)

DePt

Current Job Title

1111 Altamont Bid

Current Work Address

Frackville PA 17931

City, County, State, Zip Code

Defendant 2:

Keenart
Name (Last, First)
Dept
Current Job Title
1111 Altamont Blvd
Current Work Address
Frackville PA 17931
City, County, State, Zip Code

Defendant 3:

Wentzel
Name (Last, First)
Counselor
Current Job Title
1111 Altamont Blvd
Current Work Address
Frackville PA 17931
City, County, State, Zip Code

Defendant 4:

Wegrzynowicz
Name (Last, First)
unit manager
Current Job Title
1111 Altamont Blvd
Current Work Address
Frackville PA 17931
City, County, State, Zip Code

Defendant 5:

R. Boyce
Name (Last, First)
PSS
Current Job Title
1111 Altamont Blvd
Current Work Address
Frackville PA 17931
City, County, State, Zip Code

Defendant #6

Omara

CCPM

1111 Altamont Blvd

Frackville PA 17931

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1. on 5.16.22 Plaintiff was placed into the Behavioral Management Unit at Sci Frackville See Exhibit

2. at Plaintiff First Program Review Committee Plaintiff told defendants Kephart Wynder, Wentzel, Wegrzynowicz and PSS R. Boyce that Plaintiff should not be at Sci Frackville because Plaintiff has active separations at Sci Frackville. Plaintiff was told that if he continued to be problematic he will not be progressed through the BMU program despite Plaintiff positive interactions in the BMU.

3. on 5.23.22 inmate Smith stated "hey faggot Murda said bring your bitch ass out" speaking of inmate Raphael Spearman. Confused Plaintiff simply ignored the remark.

4. on 5.24.22 due to that statement inmate Smith said Plaintiff filed a request to defendants Wegrzynowicz and Dept Wynder however Plaintiff concerns fell on deaf ears. See exhibit 1.

5. On 6.13.22 Plaintiff again told R. Boyce, Wegrzynowicz, Wentzel, Wynder, Kephart that Plaintiff was still having safety concerns. See exhibit 2. However nothing was done however defendants deemed me to be a danger to inmate Smith due to his message and was immediately removed from inmate Smith group in order to protect this inmate.

6. on 6.22.22 Plaintiff again wrote defendant Wegrzynowicz and Proc several request and was told I will go out but not around these violent inmates. See exhibit 3. Grievance was also submitted. Grievance # 989032 was never responded to.

7. On ~~some unknown~~ ^{7.3.22} date Plaintiff received an ^{email from} inmate Spearman telling Plaintiff to come out due to on going issues. Plaintiff did not answer the message.

8. on or about 6-27-22 Plaintiff Submitted Grievance 986463 Plaintiff waited the allotted 15 business day but did not get a single response to this Grievance See exhibit 4
9. on 7-4-22 inmate Smith logged into Plaintiff emails and sent inmate Spearman a message Pretending he was Plaintiff see exhibit 5
10. on 7-5-22 Plaintiff spoke to defendants Boyce, and wegrzynowicz about going to Population See exhibit 6
11. on 7-6-22 Plaintiff spoke to defendants omara and Kephart See exhibit 7 Plaintiff Filed Grievance but did not get a pink copy nor a grievance number
12. on 7-7-22 Plaintiff spoke to defendants wydner, Kephart, Omara, wentzel and wegrzynowicz Plaintiff was told that because Plaintiff was not going to withdraw 986463 he would not be going to general population but if he decides to withdraw then all his problems would disappear Plaintiff refused and was immediately Placed Back into handcuffs See exhibit 8 for retaliation Grievance # 989032 was never answered
13. due to Plaintiff Not getting proper mental health care Plaintiff Submitted a grievance Plaintiff was told by defendants wegrzynowicz and wydner that if i did not withdraw grievance 986463 i would not be taken out of handcuffs See exhibit 9 for violations of equal protection
14. on 7-13-22 Plaintiff Submitted grievance however Plaintiff never got a pink copy nor a action number See exhibit 10
15. on 7-16-22 despite Plaintiff Continuous Safety Complaints inmate Smith while housed in 3A 1005 through an unknown liquid striking Plaintiff in his left leg
16. Plaintiff was denied a transfer and on 7-16-22 Plaintiff Filed a grievance Plaintiff never got a pink copy nor a response See ~~exhibit~~ exhibit 12

17. on 7.20.22 Plaintiff was asked for him to withdraw ~~989483~~ For him to get the same privillages as inmate Lewis and if ⁹⁸⁹⁰²⁸ Not plaintiff will not get those privillages See exhibit 13 grievance # 989492 it was defendant wegrznowicz who made this statement See grievance 989028 for violations of the equal protection
- 18 on 7.20.22 Plaintiff received a responce for grievance # 989483 stating that defendant wegrznowicz was giving Plaintiff his pink Copies and grievance responce which was False
- 19 Plaintiff Appealed 989483 but never got a responce back for the appeal See grievance 989483 exhibit 14
- 20 Plaintiff submitted grievance Appeal for grievance # 989492 Plaintiff Never got a responce to Appeal See exhibit 15
- 21 On 8.10.22 Plaintiff submitted a request asking about grievances 986463, 989028, 989032, 989492, ~~989483~~ 989483 Plaintiff Never , 989862, Got a responce therefore Plaintiff proceded with 9835
22. Plaintiff Complied with dc ADM 204 to the best of Plaintiff ability and defendants Failed to provide Any Relief

I verify that the facts and statements set forth in the Complaint are true and correct to the best of my knowledge, information, and belief. I understand that the statements in this Complaint are made subject to the criminal penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.



Kevin Coit KX2601
Frackville
1111 Altamont Blvd
Frackville PA 17931

III. STATEMENT OF FACTS

State only the facts of your claim below. Include all the facts you consider important. Attach additional pages if needed.

- A. Describe where and when the events giving rise to your claim(s) arose.

- B. On what date did the events giving rise to your claim(s) occur?

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what?)

This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page, leaving small margins at the top and bottom. There is no handwriting or other markings on the paper.

IV. LEGAL CLAIM(S)

You are not required to make legal argument or cite any cases or statutes. However, state what constitutional rights, statutes, or laws you believe were violated by the above actions. If you intend to assert multiple claims, number and set forth each claim in separate paragraphs. Attach additional pages if needed.

equal protection, Retaliation, Cruel & unusual punishment
 Failure to protect unconstitutional Conditions of Confinement
 due process

V. INJURY

Describe with specificity what injury, harm, or damages you suffered because of the events described above.

Mental Anguish, emotional distress, emotional anguish,

VI. RELIEF

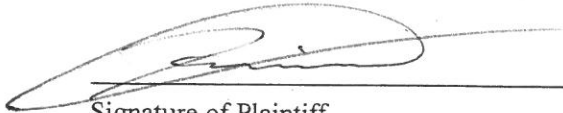
State exactly what you want the court to do for you. For example, you may be seeking money damages, you may want the court to order a defendant to do something or stop doing something, or you may be seeking both types of relief. If you are seeking monetary relief, state your request generally. Do not request a specific amount of money.


lawyer fee's Court Cost 150,000.00

VII. SIGNATURE

By signing this complaint, you represent to the court that the facts alleged are true to the best of your knowledge and are supported by evidence, that those facts show a violation of law, and that you are not filing this complaint to harass another person or for any other improper purpose.

Local Rule of Court 83.18 requires *pro se* plaintiffs to keep the court informed of their current address. If your address changes while your lawsuit is being litigated, you must immediately inform the court of the change in writing. By signing and submitting the complaint form, you agree to provide the Clerk's Office with any changes to your address where case-related papers may be served, and you acknowledge that your failure to keep a current address on file with the Clerk's Office may result in dismissal of your case.



Signature of Plaintiff

Date

INMATE MAIL
PA DEPT OF
CORRECTIONS



Scranton PA 18501-1148
Po Box 1148
235 N Washington Ave

Clerk of Courts

RECEIVED
SCRANTON

AUG 16 2022

PER

DEPUTY CLERK

Kevin Galt Kravco
1111 Altimont Blvd
Frackville PA 17931